- 1 R277. Education, Administration.
- 2 R277-614. Athletes and Students with Head Injuries.
- 3 **R277-614-1**. Definitions.
- A. "Agent" means a coach, teacher, school employee,
- 5 representative or volunteer under Section 26-53-102(1).
- 6 B. "Board" means the Utah State Board of Education.
- 7 C. "LEA" means a public school or a public charter
- 8 school.
- 9 D. "Parent" means a parent or legal guardian of student
- 10 for whom LEA is responsible.
- 11 E. "Physical education class" means a structured
- 12 <u>secondary school class period that includes an</u> adult
- 13 supervisor.
- 14 [E]E. "Sporting event" means activities listed under
- 15 Section 26-53-102(5) and includes games, classes, tryouts and
- 16 activities that take place during the regular school day of
- 17 public schools and activities sponsored by the public schools
- 18 with exclusions provided in Section 26-53-102(5)(b).
- 19 [F]G. "Traumatic head injury" means any of the signs,
- 20 observed or self-reported, listed under Section 26-53-102(6).
- 21 [G]H. "USOE" means the Utah State Office of Education.

22 R277-614-2. Authority and Purpose.

- 23 A. This rule is authorized by Utah Constitution X,
- 24 Section 3 which vests general control and supervision in the
- 25 Board, by Section 53A-1-401(3) which allows the Board to adopt
- 26 rules in accordance with its responsibilities.
- 27 B. The purpose of this rule is to direct LEAs under the
- 28 general control and supervision of the Utah State Board of
- 29 Education to adopt and enforce a head injury policy for
- 30 students participating in sporting events as defined in the
- 31 law, including notification to parents of the policy and
- 32 receipt from parents of signed statements that parents
- 33 understand and will support the LEA in the enforcement of the

34 policy.

35 R277-614-3. Board and USOE Responsibilities.

- 36 A. The Board directs all LEAs to develop, pass, post on
- 37 the LEAs' websites and make available to parents a traumatic
- 38 head injury policy that meets the requirements of Section
- 39 26-53.
- B. The USOE shall, in consultation with Utah State Risk
- 41 Management, provide a model policy for LEAs to use in
- 42 developing their policies. The model policy shall be
- 43 available on the USOE website.
- C. The USOE shall provide model forms for LEAs to use to
- 45 inform parents of LEA policies and obtain parent signatures
- 46 documenting the parents' understanding of and willingness to
- 47 adhere to LEA policies.
- D. The USOE shall provide professional development, as
- 49 needed and to the extent of funds available, to assist LEAs
- 50 with training to identify students' traumatic head injuries,
- 51 to provide notice to parents and to comply with the law.

52 R277-614-4. LEA Responsibilities.

- A. All LEAs are identified as amateur sports
- 54 organizations for purposes of Section 26-53 and shall meet all
- 55 requirements of the law.
- B. [Before September 15, 2011, a]All LEAs shall
- 57 [adopt] maintain a traumatic head injury policy for students:
- 58 [(1) participating in recess, field days or elementary
- 59 school activities;
- ($[\frac{2}{2}]$) participating in physical education classes,
- 61 excluding free play under Section 26-53-102(5)(b)(iii),
- 62 offered by the LEA; and
- $([\frac{3}{2}]^2)$ participating in extracurricular activities
- 64 sponsored by the LEA or statewide athletic associations or
- 65 both groups jointly.

- 66 C. An LEA's policy shall include:
- 67 (1) direction to agents to remove a student from a 68 sporting event if the student is suspected of sustaining a
- 69 concussion or a traumatic head injury;
- 70 (2) the prohibition of a student's continued
- 71 participation until the student is evaluated by a trained
- 72 qualified health care professional;
- 73 (3) a written statement from a trained health care
- 74 provider clearing the student to resume participation in a
- 75 sporting event;
- 76 (4) adequate training for agents, consistent with their
- 77 involvement and responsibility for supervising students in
- 78 sporting events, about traumatic head injuries and response to
- 79 suspected student injuries, consistent with the law; and
- 80 (5) notice at least annually to parents of students who
- 81 participate in sporting events, including parents' signatures,
- 82 of an LEA's traumatic head injury policy.
- 83 D. An LEA shall post its policy on a district/school or
- 84 charter school website where the information will be readily
- 85 accessible to the public and to parents.
- 86 KEY: athletes, head injuries
- 87 Date of Enactment of Last Substantive Amendment: [November 8,
- 88 **2011**1
- 89 Authorizing, and Implemented or Interpreted Law: Art X Sec 3;
- 90 **53A-1-401(3)**